

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**Ellen Lipton Hollander**  
District Court Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
410-962-0742

February 22, 2022

MEMORANDUM TO COUNSEL

Re: *Boshea v. Compass Marketing, Inc.*  
Civil Action No. ELH-21-309

Dear Counsel:

As you know, plaintiff David Boshea has filed suit against defendant Compass Marketing, Inc. (“Compass”), alleging that Compass owes him severance pay pursuant to a purported employment agreement. He has lodged claims for breach of contract; violation of the Maryland Wage Payment and Collection Law (“MWPCCL”), Md. Code (2016 Repl. Vol., 2021 Supp.), §§ 3-501 *et seq.* of the Labor and Employment Article; and the Illinois Wage Payment and Collection Act. *See* ECF 1 (the “Complaint”); ECF 27 (the “First Amended Complaint”); ECF 48 (the “Second Amended Complaint”).

Compass has answered. *See* ECF 14 (Answer to Complaint); ECF 37 (Answer to First Amended Complaint); ECF 53 (Answer to Second Amended Complaint). In addition, Compass has filed a Counterclaim against Boshea, and a Third-Party Complaint against currently unidentified John Doe(s). ECF 38. Boshea has answered the Counterclaim. ECF 45.

On June 29, 2021, I entered a Scheduling Order. ECF 20. Among other things, it set a discovery deadline of December 1, 2021, and provided that a status report was due the same date. *Id.* at 2. And, it set a dispositive motions deadline of January 7, 2022. *Id.* On November 29, 2021, the Court granted a consent motion (ECF 72) extending the discovery and status report deadline to January 14, 2022, and the dispositive motions deadline to February 15, 2022. ECF 73.

On October 5, 2021, the case was referred to Magistrate Judge A. David Copperthite for discovery. ECF 58. And, on January 19, 2022, I expanded this referral to include related scheduling. ECF 83.

The parties have had discovery disputes, including disputes involving third parties. *See* ECF 31; ECF 33; ECF 36; ECF 54; ECF 63; ECF 64; ECF 81. In this context, Compass moved on January 14, 2022, to further extend the discovery deadline. ECF 79. Boshea responded with an alternative extension proposal. ECF 82. On February 3, 2022, Magistrate Judge Copperthite issued an Order that, *inter alia*, denied the extension motion. ECF 92. Thus, the January 14, 2022, and February 15, 2022, deadlines have not been modified.

On February 15, 2022, consistent with the above deadline, Compass filed a motion for partial summary judgment, solely as to Boshea's MWPCl claim. ECF 93. However, the status report due on January 14, 2022, was not submitted. *See* Docket.

Accordingly, by **March 8, 2022**, counsel are directed to file a status report, joint if possible, addressing the issues referred to in the Scheduling Order. *See* ECF 20 at 3.

Despite the informal nature of this Memorandum, it is an Order of the Court, and the Clerk is directed to docket it as such.

Very truly yours,

/s/

Ellen Lipton Hollander  
United States District Judge